

MOTION OF THE COUNCIL OF ALLEGHENY COUNTY

Motion of the Council of Allegheny County urging public and private property owners throughout the County to take proactive steps to reduce stormwater runoff into local watersheds to the extent practicable in order to protect the natural beauty and environmental condition of the Allegheny, Monongahela and Ohio rivers.

Whereas, the Pennsylvania Constitution recognizes the importance of esthetic and environmental preservation of publicly owned natural resources in Article I, §27: “[t]he people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and esthetic values of the environment. Pennsylvania's public natural resources are the common property of all the people, including generations yet to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people.”; and

Whereas, although interpretation of Article I, §27 is very much still a work in progress by the Commonwealth’s various courts, the provision at its core attributes a value to the community for pure water and environmental preservation; and

Whereas, Allegheny County is vested with the power and duty to maintain a stormwater management plan by Commonwealth law, specifically the Stormwater Management Act, 32 P.S. § 680.1 *et. seq.* (“Act 167”); and

Whereas, Section 680.5 of Act 167 requires each county in the Commonwealth to prepare and adopt a storm water management plan for each watershed located in the county; and

Whereas, Section 680.6 of Act 167 requires each county in the Commonwealth to establish a watershed plan advisory committee which is “responsible for advising the county throughout the planning process, evaluating policy and project alternatives, coordinating the watershed stormwater plans with other municipal plans and programs, and reviewing the plan prior to adoption;” and;

Whereas, when last revising the County’s stormwater management plan, Allegheny County established a watershed plan advisory committee (WPAC) composed of over 240 members representing not only Allegheny County Government but also representatives from each of the one hundred thirty units of local government within the County, as well as representatives from Federal and Commonwealth regulatory agencies, adjacent counties, watershed associations, and other interested parties; and

Whereas, the County WPAC held meetings over the course of four years on the development of an updated stormwater management plan; and

Whereas, during this period of time, the members of the County WPAC were kept apprised of the progress on the proposed updates, and were provided with opportunities to review, comment on, and discuss the proposed plan revisions, as well as proposed model storm water management ordinance to be used by local units of government within the County to implement the revisions, once approved; and

Whereas, as required by Section 680.8 (a) of Act 167, County Council held a duly advertised public hearing to receive comments on the proposed plan revisions; and

Whereas, Section 680.8 (a) of Act 167 Act also requires that a stormwater management plan must be adopted by a resolution carried by an affirmative vote of at least a majority of the members of the county governing body, which took place for the most recent revisions on December 5, 2017; and

Whereas, in approving the 2017 revisions, County Council found “that a comprehensive program of stormwater management which includes reasonable regulation of development and activities that may cause accelerated runoff is fundamental to the public health, safety, and welfare and protection of the citizens of the County, their resources, and the environment”; and

Whereas, Council also found “that the proposed County SWM Plan is consistent with the County’s goals of preserving and restoring the flood-carrying capacity of streams; preserving to maximum extent practicable the natural storm water regimes and natural course, current, and cross-sections of the waters of the Commonwealth; and protecting and conserving ground waters and ground water recharge areas”; and

Whereas, owing to improvements in stormwater management technologies and methodologies in years since the most recent revisions to the County’s stormwater management plan, it is the judgment of Council that options to mitigate the deleterious impacts of stormwater runoff may exist, but not yet be included in the existing plan; and

Whereas, it is further the judgment of Council that these additional options and other initiatives should be considered and implemented where practicable by both public and private property owners in our local watersheds in order to provide economic, recreational, and health benefits to the community to the greatest extent possible, even before the next revision of the County’s stormwater management plan;

NOW THEREFORE, IT IS MOVED that in Council’s judgment it should be a priority of the County, the municipalities located within the County, the business community, and the general public to limit stormwater runoff into the County’s watersheds in order to protect the natural beauty and environmental condition of the Allegheny, Monongahela and Ohio rivers.

IT IS FURTHER MOVED that improvements in technology and methodologies such as permeable pavements and rain gardens should be considered to the greatest extent possible in formulating strategies for managing stormwater runoff.

IT IS FURTHER MOVED that the Council hereby encourages its residents, business entities, and municipalities to join together in cleaning the banks of the rivers.

PRIMARY SPONSOR: COUNCIL MEMBER ROSE (assisted by Kori Wilson)

CO-SPONSORS:

In Council _____, 2026.

Read and Approved.

**Michelle Naccarati-Chapkis
President of Council**

**Attest: _____
Jared E. Barker
Chief Clerk of Council**